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Report of the Secretary-General on the United Nations Mission of Observers in Prevlaka

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1335 (2001) of 12 January 2001 by which the Council extended the mandate of the United Nations Mission of Observers in Prevlaka (UNMOP) until 15 July 2001. It covers developments since my last report on UNMOP of 11 April 2001 (S/2001/350).

2. UNMOP consists of 27 United Nations military observers (see annex) headed by a Chief Military Observer, Colonel Graeme Williams (New Zealand).

3. In accordance with its mandate, UNMOP continues to monitor the demilitarization of the Prevlaka peninsula and the neighbouring areas in Croatia and the Federal Republic of Yugoslavia by conducting daily vehicle and foot patrols throughout its area of responsibility. The Mission holds periodic meetings with the local authorities in order to strengthen liaison, reduce tension, improve safety and security and promote confidence between the parties. The Chief Military Observer maintains contact with the authorities in Zagreb and Belgrade in order to address issues arising from the implementation of resolution 1335 (2001). Cooperation between UNMOP and the multinational Stabilization Force (SFOR) is maintained through periodic meetings.

II. Situation in the area of responsibility of the Mission

4. The area of responsibility of UNMOP and the designation of the demilitarized and United Nations-controlled zones remain as previously reported. The situation there has remained stable and calm. UNMOP continues to maintain its 24-hour presence at the team site on the Ostra peninsula, at Herceg Novi in the Federal Republic of Yugoslavia and at the headquarters at Cavtat and the team site at Gruda in Croatia.

Demilitarized zone

5. In accordance with the security regime agreed by the two parties, their police forces maintain control of the demilitarized zone. These are, on the Yugoslav side, the Montenegrin Border Police and Special Police and, on the Croatian side, until June 2001, the Croatian Special Police. In June 2001, the Croatian authorities informed UNMOP that the Special Police was being disbanded and its personnel assigned to other policing duties. As a consequence, the demilitarized zone on the Croatian side is now patrolled by a newly formed "Police Intervention Unit" and regular uniformed police.

6. The disbandment of the Croatian Special Police was followed by a significant reduction in the number of Croatian police stationed in the demilitarized zone. There has been no appreciable change in the number or disposition of Montenegrin Border Police and Special Police personnel stationed in the demilitarized zone on the Yugoslav side. Under the security regime, there is no limit to the number of police permitted in the demilitarized zone.

7. With minor exceptions, the demilitarized zone was respected by both parties during the reporting period. On 16 April 2001, a military helicopter operated by the international security presence in

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Kosovo, Federal Republic of Yugoslavia (KFOR), overflew the zone. KFOR was informed of the demilitarized status of the zone and was requested to respect it in future.

8. As reported previously, the United Nations military observers enjoy unrestricted freedom of movement on the Yugoslav side of the demilitarized zone. On the Croatian side, despite the withdrawal of the Special Police and the reduction in the number of police in the zone, the authorities have not withdrawn their requirement that UNMOP provide advance written notice before undertaking foot or vehicle patrols in the northern part of the zone.

9. On 19 and 22 June, Croatian officials at the Brgat/Ivanica crossing point between Bosnia and Herzegovina and Croatia, outside of the demilitarized zone, prevented United Nations vehicles carrying administrative supplies from the United Nations Mission in Bosnia and Herzegovina (UNMIBH) to UNMOP from transiting through Croatia.

United Nations-controlled zone

10. The deployment of police forces in the United Nations-controlled zone in violation of the security regime continues, although the number of Croatian police stationed in the zone has been reduced. Currently, approximately 10 Croatian police are located at two positions and approximately 10 Montenegrin Border Police are stationed at two positions inside the zone. The Croatian police conduct foot and vehicle patrols throughout the part of the zone accessible to them.

11. Croatia and Montenegro continue to maintain checkpoints in the United Nations-controlled zone for the purpose of operating the crossing regime that they initiated at Cape Kobila in January 1999. The presence of these manned checkpoints, which allow limited movement by local civilians between Montenegro and Croatia, is a violation of the agreed security regime.

12. The Croatian authorities continue to permit civilians, including local and foreign tourists, to enter the United Nations-controlled zone for fishing, recreation and the collection of firewood. The Montenegrin authorities permit similar activities in the part of the zone controlled by them, though in fewer numbers than on the Croatian side. The waters of the United Nations-controlled zone continue to be violated daily by small craft which enter from both the Croatia and Montenegrin sides in approximately equ numbers.

13. On 16 April 2001, approximately 100 sightsee were brought into the United Nations-controlled zo in buses from the Croatian side under escort b Croatian police. On 25 April 2001, a vehicle bearin Croatian military licence plates and carrying tw occupants was observed in the zone. The Croatia authorities later expressed regret for this incursio which they described as accidental. On 29 April 200 about 120 persons in approximately 60 vehicles enter the zone from the Croatian side in peaceful prote against a decision by the Croatian Government on la ownership. They were monitored by Croatian police.

14. The activities described above, which involv the unauthorized presence of civilians and officials the United Nations-controlled zone, as well restriction on the movement of United Nations milita observers, are violations of the agreed security regi which UNMOP has protested to the two parties. Whi they do not constitute a security threat, th demonstrate disregard for a regime that was agre upon freely by the parties and which UNMOP obliged to monitor.

III. Progress towards a negotiated settlement

15. The Federal Republic of Yugoslavia and Croat have indicated repeatedly their willingness to resol their dispute over Prevlaka through bilater negotiations pursuant to the Agreement Normalization of Relations signed by them at Belgra on 23 August 1996 (see S/1996/706, annex). reported previously, each Government has submitted proposal for settling the dispute (see S/1998/533 a S/1998/632) and their negotiating teams have held fo rounds of formal talks, the last at Belgrade on 9 Mar 1999. In a document signed at Verbania, Italy, 8 June 2001, the Presidents of the Federal Republic Yugoslavia and Croatia reiterated their willingness strengthen the process of normalization of relatio with emphasis on the free movement of people, goo and ideas between the two States. The document ma no specific mention of the Prevlaka issue.

16. Since that time, contacts on bilateral issu including Prevlaka, have continued between the t

countries. In addition to working-level meetings, Yugoslav and Croatian officials held meetings in Belgrade on 11 June and in Vienna on 28 June 2001, during which the issue of Prevlaka was broached. The United Nations did not participate in or observe those meetings but was informed of them in New York. The official positions of the parties were conveyed most recently to the President of the Security Council in letters dated 22 December 2000 (S/2000/1235, from the Federal Republic of Yugoslavia) and 5 January 2001 (S/2001/13, from Croatia).

IV. Confidence-building measures

17. As will be recalled, pursuant to the Security Council's request in resolution 1252 (1999), a package of recommendations and options for confidence-building was conveyed informally to the parties by the Secretariat in October 1999 (see S/1999/1051, para. 20). The package covered basic elements of the dispute, confidence-building measures and freedom of movement for local civilians. Subsequent consultations with the parties showed that they favoured some of the options but rejected others, reflecting their overall divergent views on the dispute. During the reporting period, there were no new developments in this regard.

V. Financial aspects

18. Although an independent mission, UNMOP draws its administrative and budgetary support from UNMIBH. By its resolution 55/268 of 14 June 2001, the General Assembly appropriated an amount of $140 million gross for the maintenance of UNMIBH for the 12-month period from 1 July 2001 to 30 June 2002.

19. Therefore, should the Security Council decide to extend the mandate of UNMOP beyond 15 July 2001, as recommended in paragraph 23 below, the costs of maintaining the Mission would be met from within the budget of UNMIBH.

VI. Observations

20. It is encouraging that Croatia and the Federal Republic of Yugoslavia have resumed discussions on the Prevlaka dispute. In my report of 11 April 2001 (S/2001/350), I stated that I intended to explore, together with the parties, ways of advancing the political process on Prevlaka. United Nations officials in New York have since discussed the issue with the Permanent Representatives of the parties and, at my request, United Nations officials in the region have taken it up informally with their counterparts in Croatia and the Federal Republic of Yugoslavia. On the basis of their reports, I have concluded that the parties prefer to continue their efforts to solve the dispute bilaterally.

21. While the United Nations has been assured by the parties at several levels that they remain committed to reaching a negotiated solution on Prevlaka, it is my assessment that further time will be required for progress to be made. This could occur through implementation of the options package, or elements of it, or along lines that the parties might decide to pursue on a bilateral basis. Although third party assistance has so far not been sought, I would reiterate my offer of the good offices of the United Nations, should the parties require this assistance in the search for a solution. UNMOP stands ready to assist in the development of practical arrangements to give effect to any agreement that the parties might reach.

22. As observed many times previously, the continuing long-standing violations of the security regime on Prevlaka are not conducive to the development of confidence. In the United Nations-controlled zone, the presence of Croatian police, albeit in reduced numbers, and Montenegrin Border Police is a long-standing violation. Additionally, the continued operation of the illegal checkpoints at Cape Kobila interferes with the free movement of the United Nations military observers. Accordingly, the Montenegrin and Croatian police units should be withdrawn from the United Nations-controlled zone and the Cape Kobila checkpoints removed to the boundaries of the zone, or their continued operation legitimized by agreement between the parties. In addition, the Croatian authorities should rescind the restriction on the movement of the United Nations military observers in the demilitarized zone.

23. The reduction by the Croatian authorities of the number of police stationed in the demilitarized zone reflects confidence on their part that the area is likely to remain calm and stable. This accords with the assessment of UNMOP. Given the importance of ensuring that conditions on the ground remain calm and free of tension, and in order to maintain the stability that is essential to meaningful progress towards a political settlement, I recommend that the mandate of

UNMOP be extended for a further six months, until 15 January 2002. The Security Council may wish to request the parties to continue to report regularly on progress in their talks.

24. In conclusion, I wish to point out that UNMOP and its predecessors have, by their continued presence and patrolling over a period of more than eight years, contributed significantly towards ensuring the stability of the Prevlaka area and the southern border between Croatia and the Federal Republic of Yugoslavia. I should like to commend the Chief Military Observer and the men and women of UNMOP for their unstinting efforts to maintain peace and security in their area of responsibility.

Annex

Composition and strength of the military element of the United Nations Mission of Observers in Prevlaka as at 1 July 2001

Nationality	*Number of military observers*
Argentina	1
Bangladesh	1
Belgium	1
Brazil	1
Canada	1
Czech Republic	1
Denmark	1
Egypt	1
Finland	1
Ghana	1
Indonesia	2
Ireland	1
Jordan	1
Kenya	1
Nepal	1
New Zealand	2[a]
Nigeria	1
Norway	1
Pakistan	1
Poland	1
Portugal	1
Russian Federation	1
Sweden	1
Switzerland	1
Ukraine	1
Total	**27**

[a] Including Chief Military Observer.

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